

**IN THE UNITED STATES PATENT AND TRADEMARK
OFFICE**

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In re Application of George E. Fox,
Richard C. Willson III and Zhengdong Zhang
Serial No.: 10/057,270
Filed: 26 Jan 2002
For: ...Methods for Determining the Genetic
Affinity of Microorganisms and viruses

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) TO: 7
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) Examiner Jason
) Sims (571)-2727540.
) Group 1631

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Priority: 26 Jan 2001, USSN 60/254,403
Attorney Docket: 010AUS
USPTO Customer Number: 26830
Response Due: 5 September 2006 [With 1 mo. Extension]

Commissioner for Patents
Box 1450 Group 1631
Alexandria VA 22313-1450

EXAMINER SIMS: Enclosed is a signed
replacement page for the amend-
ment faxed 5 Sept 06. Thank you.

AMENDMENT IN RESPONSE TO FIRST ACTION ON THE MERITS

Sir:

In response to the Office Action mailed 5 May 2006, consideration of the
following remarks is solicited.

The undersigned Attorney certifies that this Document has
been filed via fax to 571-273-8300 Central Fax of the
USPTO on 5 September 2006 (37 CFR 1.10).

Applicants' Attorney herein responds to the above Office Action mailed 5 May 2006.
An additional fee is believed due as there are now presented 24 claims of which 4 are
independent.

Interview

At the 27 April 2006 telephone interview helpfully initiated by Examiner Sims,
Applicants' Attorney elected the species parsimony methods as a method for
generating a tree of relationships under Group II, as reported in the PTOL-413 form
included in the Office Action. That was the entire business at the interview.

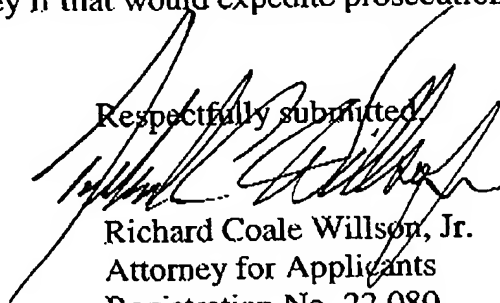
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The one-month extension fee and any other necessary (small entity) charges can be charged to USPTO Deposit Account 20-336 of Technology Licensing Co. LLC.

Correspondence may be addressed to Customer No. 26830.

The Examiner is especially invited to suggest allowable subject matter on next action, and to telephone Applicants' Attorney if that would expedite prosecution and disposal of this Application.

Respectfully submitted,



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